

REMARKS

In accordance with the foregoing, claims 1 and 7 are amended and claim 6 is cancelled without prejudice or disclaimer. Claims 1 – 5 and 7 - 22 are pending. Claims 16 – 17 are withdrawn from consideration. No new matter is presented in this Amendment.

Allowability of claims 6, 7 and 22

Applicants appreciate the indication by the Examiner at page 4 of the Office Action that claims 6, 7 and 22 would be allowable if rewritten in independent form to include all of the limitations of their respective base claims. As discussed below, independent claim 1 is amended to include the limitations of claim 6, which is canceled without prejudice or disclaimer. Claim 7 is amended to depend from claim 1.

Rejection of claims 1, 3 – 5, 8 – 15 and 18 – 20 under 35 U.S.C. §102(b) over Mikhaylik

At page 2 of the Office Action, claims 1, 3 – 5, 8 – 15 and 18 – 20 were rejected under 35 U.S.C. §102(b) as being anticipated by Mikhaylik et al. (WO 02/50933) (hereinafter “Mikhaylik”). Without conceding the correctness of the Examiner’s rejection and in order to advance the prosecution of the application, claim 1 is amended to include the subject matter of claim 6, which the Examiner has indicated is allowable. Therefore, amended independent claim 1 and dependent claims 3 – 5, 8 – 15 and 18 – 20 are now allowable. Therefore, the rejection should be withdrawn.

Rejection of claims 2 and 4 under 35 U.S.C. §102(b) or, in the alternative under 35 U.S.C. §103(a) over Mikhaylik

At page 3 of the Office Action, claims 2 and 4 were rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative under 35 U.S.C. §103(a) as obvious over Mikhaylik et al. (WO 02/50933). As noted above, without conceding the correctness of the Examiner’s rejection and in order to advance the prosecution of the application, claim 1 is amended to include the subject matter of claim 6, which the Examiner has indicated is allowable. Therefore, dependent claims 2 and 4 are now allowable. Therefore, the rejection should be withdrawn.

Request for rejoinder of withdrawn claims 16 - 17

Claims 16 - 17 are dependent claims including all of the limitations of base claim 1.

Therefore, claims 16 - 17 are allowable for the same reasons provided above regarding claim 1. Rejoinder and allowance of claims 16 – 17 are therefore respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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Date: 5/17/10, 2007

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